

**HAWAII STATE  
HOUSE OF REPRESENTATIVES**

**REGULAR SESSION OF 2012**

***ROUGH DRAFT  
JOURNAL***

**THIRTY-FIFTH DAY  
MARCH 20, 2012**

OFFICE OF THE CHIEF CLERK

*g*

*All Mini and Rough Draft Journals are provided as an informational service only and are not intended to replace the permanent bound version of the House Journal which is the official certified record. The daily Mini Journals and Rough Draft Journals are subject to correction and approval, and should not be relied upon, quoted or cited as an official record.*

*The **Mini Journal** is produced for each legislative day and shows all action which took place on the Chamber Floor, including all bills and resolutions introduced, referrals, readings, all motions and votes, and Governor's Messages and other Communications. The Mini Journal does not include verbatim floor remarks or announcements made.*

*The Mini Journal is generally available the next legislative day following each day's session and may be obtained at the House Printshop.*

*The **Rough Draft Journal** includes verbatim floor remarks, written remarks, announcements and introductions made on the Chamber Floor. Copies of the Rough Draft Journal may be obtained at the House Printshop as they become available.*

*The **Mini Journal** and **Rough Draft Journal** may also be obtained at the House of Representatives section of the legislative website. [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov)*

*The **bound version of the House Journal** is the official certified record of the proceedings of the House of Representatives. Once certified, the official permanent record is published and bound after the close of the Regular or Special Session of the Legislature.*

## THIRTY-FIFTH DAY

Tuesday, March 20, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Heather H. Giugni, after which the Roll was called showing all Members present with the exception of Representatives Herkes and Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fourth Day was deferred.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 230, 1107 and 1108) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 230, dated March 5, 2012, transmitting the State of Hawaii Comprehensive Annual Financial Report for the fiscal year ended June 30, 2011, prepared by the Department of Accounting and General Services pursuant to Section 40-5, HRS.

Gov. Msg. No. 1107, informing the House that on March 19, 2012, the following bill was signed into law:

H.B. No. 2437, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS." (ACT 007)

Gov. Msg. No. 1108, informing the House that on March 19, 2012, the following bill was signed into law:

H.B. No. 2438, HD 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES." (ACT 008)

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 419 and 420) were received and announced by the Clerk:

Sen. Com. No. 419, transmitting H.B. No. 1743, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," which passed Third Reading in the Senate on March 19, 2012.

Sen. Com. No. 420, transmitting H.B. No. 2030, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," which passed Third Reading in the Senate on March 19, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Herkes and Oshiro were excused.)

H.B. No. 2030, HD 2, (SD 1)

## INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative M. Lee introduced University of Hawaii at Manoa School of Nursing and Dental Hygiene students and faculty Professors, Jan Schultz and Nancy McGuckin.

Representative Yamane introduced members of the Hawaii Chapter of the American Physical Therapy Association (HAPTA):

President, Mr. Art Lum;  
Legislative Chair, Ms. Ann Frost; and  
Legislative Committee Members, Mr. Herb Yee, Ms. Elyse Nakama and Ms. Shannon Lau.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 159) was announced by the Clerk and the following action taken:

H.R. No. 159, entitled: "HOUSE RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF THE OUTDOOR CIRCLE IN HAWAII," was jointly offered by Representatives C. Lee, Aquino, Belatti, Brower, Carroll, Chang, Ching, Chong, Coffman, Evans, Fontaine, Hanohano, Johanson, Jordan, Kawakami, Keith-Agaran, M. Lee, Manahan, Rhoads, Riviere, Thielen and Pine.

Representative C. Lee moved that H.R. No. 159, be adopted, seconded by Representative Takai.

Representative C. Lee commended the Outdoor Circle for their work in protecting the unobstructed views of our islands, and applauded them for 100 years of keeping Hawaii clean, green and beautiful.

Representative Takai also thanked the Outdoor Circle for protecting the trees in our communities, and introduced the honorees seated on the Floor of the House:

Mr. Joel Kurokawa, President of the Board of Directors;  
Mr. Bob Loy, Director of Environmental Programs; and  
Board Members, Ms. Betsy Conners, Ms. Diane Anderson, and Ms. Susan Spangler.

Representative Takai also welcomed the many friends and members of the Outdoor Circle who were seated in the Gallery and were at the Capitol this day for a tree planting ceremony.

Representative Ching offered her gratitude to the Outdoor Circle for helping to protect and preserve heritage trees and the Walker Estate.

Representative Marumoto also thanked the many volunteers with the Outdoor Circle.

Representative Fontaine thanked the Outdoor Circle for their work in helping to save the monkey pod trees in South Maui.

Representative Evans, on behalf of the area branches of the Outdoor Circle, congratulated them on their 100th anniversary and commended them on their vigilance to protect the islands from outdoor advertising.

Representative Ward thanked the Outdoor Circle for their persistence in having trees planted along Kalanianaʻole Highway.

Representative Brower encouraged the Outdoor Circle to continue their work to ban campaign signs.

Representative McKelvey thanked the Outdoor Circle for their work in South Maui.

Representative Thielen applauded the work of the Outdoor Circle, particularly the planting and beautification project at the Kailua Post Office and the I Love Kailua party.

The motion was put to vote by the Chair and carried, and H.R. No. 159, was adopted, with Representatives Herkes, Oshiro and Tokioka being excused.

ROUGH DRAFT

## LATE INTRODUCTIONS

The following resolution (H.R. No. 183) was announced by the Clerk and the following action taken:

H.R. No. 183, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING THE PRUDENTIAL SPIRIT OF COMMUNITY 2012 HAWAII STATE HONOREES AND 2012 HAWAII STATE DISTINGUISHED FINALISTS," was jointly offered by Representatives Riviere, Coffman and Evans.

Representative Riviere moved that H.R. No. 183, be adopted, seconded by Representative Evans.

Representative Riviere commended the honorees for their commitment to volunteerism and community spirit, and congratulated them on receiving the nationally recognized Prudential Spirit of Community Award.

Representatives Riviere, Evans and Coffman then congratulated and introduced the awardees seated on the Floor of the House and their guests seated in the Gallery:

Prudential Spirit of Community Award for middle and high school:

Mr. Jackson 'Jack' Button, an 8th grade student at Hawaii Technology Academy in Waipahu, who co-founded a non-profit organization to raise funds to assist children worldwide including Africa, Mexico and the United States. He was accompanied by his parents, Mr. Mark and Mrs. Diane Button; sister, Ms. Hannah Button; and hanai aunt, Ms. Linda Polasek, who were seated in the Gallery.

Mr. Candonino 'CJ' Agusen, a junior at Kealahou High School, who helped raise funds to buy temporary housing kits for people displaced by the earthquake in Japan. He was accompanied by his parents, Mr. Kevin and Mrs. Nicole Charlton; and friend, Ms. June Mohr, the 2010 Hawaii State High School Prudential Spirit of Community Award honoree, who were seated in the Gallery.

2012 Hawaii State Distinguished Finalists:

Ms. Jessica Sonson, a senior at Lanakila Baptist Jr. and Sr. High School in Ewa Beach, for her volunteer work at Pali Momi Medical Center. She was accompanied by her mother, Ms. Christy Sonson; sister, Ms. Crystal Sonson; National Honor Society Advisor, Ms. Wendy Stevens; and friend, Ms. Madison Stevens, who were seated in the Gallery.

Mr. Scott Fetz, a sophomore at Hawaii Preparatory Academy, for his work in the community, as well as organizing school beautification and unity projects. He was accompanied by his parents, Mr. Lloyd and Mrs. Norma Fetz, who were seated in the Gallery.

Representative Riviere also introduced Mr. Todd Thakar, Vice President of Government Affairs at Prudential Financial Inc., who was seated on the Floor of the House.

Representative Pine then commended Ms. Sonson and thanked her family for raising an outstanding citizen of the community of Ewa Beach.

The motion was put to vote by the Chair and carried, and H.R. No. 183, was adopted, with Representatives Herkes, Oshiro and Tokioka being excused.

At 12:41 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m., with Speaker Say presiding.

The following late introduction was made to the Members of the House:

Representative Takai, on behalf of Representatives Giugni and Johanson, introduced 4th grade students of Pearl Ridge Elementary School and their teachers: Mr. Alec Masuda, Ms. Jenny Au and Ms. Wendy Lum. They were accompanied by Capitol Tour Coordinator, Ms. Monica Chapman of the Governor's Office.

## REPORTS OF STANDING COMMITTEES

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1102-12) recommending that S.B. No. 2772, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2772, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1103-12) recommending that S.B. No. 2774, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2774, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1104-12) recommending that S.B. No. 2484, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2484, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2484, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1105-12) recommending that S.B. No. 2535, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2535, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Cullen rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Johanson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in support. This bill seeks to require the Department and the Board to come up with some standardized bell schedules. This is important for many reasons, one of which is, when we talked about this on Third Reading, to remind the Members, that there is a large disparity between schools. Secondary schools as an example, between those who have the lowest amount of instructional time, and the highest amount of E and C instructional time.

"The Members have to remember that even with a single collective bargaining unit with the teachers, each school must approve the bell schedule by two-thirds. And that is why you have some schools with such a large time difference. I think when you compute it, just a rough computation between the lowest and the highest is approximately, almost just short of 2 months of instructional time.

"There are other benefits to this, clearly. The issue of the bus service and standardizing scheduling, as well as for those schools who want to receive or offer AP classes through distance learning. It's difficult for a teacher or school to offer it to another school when they don't have the same schedule. I know there is some concern, but this is part and parcel of what we've gone down the road already. Whether it be Act 51, or whether it be instructional days, hours or calendars, this is the last and final piece. Otherwise, I don't see anybody else wanting to get rid of the other two right now. Thank you."

Representative Keith-Agaran rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2535, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1106-12) recommending that S.B. No. 2969, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2969, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1107-12) recommending that S.B. No. 3006, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3006, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations and a brief comment. Mr. Speaker, it wasn't too many days ago that this was a \$25 surcharge on tires. I'm going to put reservations because I don't trust the Committee that went from 25 down to 1, that when it goes to Conference is not going to bump it back up. It's suspicious. Thank you."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3006, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1108-12) recommending that S.B. No. 2822, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2822, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representatives Coffman and Chang, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1109-12) recommending that S.B. No. 3003, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 3003, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representatives Coffman and Chang, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1110-12) recommending that S.B. No. 2745, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2745, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1111-12) recommending that S.B. No. 2184, pass Second Reading and be referred

jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2184, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1112-12) recommending that S.B. No. 2906, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2906, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 1113-12) recommending that S.B. No. 2927, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2927, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Riviere rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Johanson rose in support of the measure with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"I rise with reservations on SB 2927, Relating to Community Planning and transit-oriented development. While I am supportive of responsible development that takes into consideration the needs and preferences of its surrounding communities and I recognize the role that the construction and

development industries have in providing jobs to local workers, I am concerned about the potential impact of this measure on surrounding communities given the broad permitting exemptions granted to these transit-oriented zones and other exceptional planning projects. Responsible, smart growth is critical for Hawaii's future and a healthy economy that provides jobs and opportunities for our people. That growth must factor in community input and quality of life inputs on surrounding neighborhoods. It is on this latter point that this particular measure concerns me. For these reasons, I will be supporting this measure with reservations."

Representative Saiki rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, in strong support. Mr. Speaker, I think it's important that we support smart growth. There's been a lot of work done by this Legislature to look into what smart growth means. And the reality is that when you put in these public transportation stations and centers along a transportation route, whatever route that is, be it rail, be it highways, be it bus transit lanes, whatever it is, these centers are about trying to avoid urban sprawl. It's about really thinking out of the box as to how are we going to have higher density in an urban environment and do it in such a way that the transportation compliments where people live.

"I'm a very strong supporter of this, and I encourage us to consider what Honolulu is going to look like in 20 years if we don't encourage this type of growth. Thank you, Mr. Speaker."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2927, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Hanohano, Luke, Riviere, Saiki and Thielen voting no, and with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1114-12) recommending that S.B. No. 2753, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2753, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1115-12) recommending that S.B. No. 2811, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2811, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1116-12)

recommending that S.B. No. 2701, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2701, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1117-12) recommending that S.B. No. 2671, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2671, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1118-12) recommending that S.B. No. 2749, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2749, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1119-12) recommending that S.B. No. 2761, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2761, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Johanson rose in support of the measure with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"I rise with reservations on SB 2761, regarding increasing regulatory fees for financial institutions. This measure, with the amendments made, would create 41 new fees and raise fees from a range of \$600 - \$7,700 to \$5,000 - \$15,000, a substantial increase for financial institutions here in Hawaii which will likely be passed on to consumers. I also have some concerns about the potentially unchecked discretion the Division of Financial Institutions may have to create new fees or raise current fees without legislative oversight. I do believe we need to responsibly adjust certain fees to reflect the rise in inflation; however, the increases and new fees proposed in this measure are significant and may be a barrier for financial institutions here in Hawaii to remain viable. For these reasons I vote with reservations on SB 2761."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2761, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting no, and with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1120-12) recommending that S.B. No. 3062, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3062, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1121-12) recommending that S.B. No. 2179, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2179, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1122-12) recommending that S.B. No. 2591, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2591, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1123-12) recommending that S.B. No. 2703, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2703, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1124-12) recommending that S.B. No. 2796, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2796, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1125-12) recommending that

ROUGH DRAFT

S.B. No. 2589, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2589, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1126-12) recommending that S.B. No. 2808, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2808, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1127-12) recommending that S.B. No. 2236, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2236, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1128-12) recommending that S.B. No. 2739, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2739, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1129-12) recommending that S.B. No. 2958, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2958, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1130-12) recommending that S.B. No. 1168, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1168, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1131-12) recommending that S.B. No. 2103, SD 2,

as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2103, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1132-12) recommending that S.B. No. 2344, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2344, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1133-12) recommending that S.B. No. 2383, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2383, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1134-12) recommending that S.B. No. 2422, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2422, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1135-12) recommending that S.B. No. 2778, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2778, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1136-12) recommending that S.B. No. 2813, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2813, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.



Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1137-12) recommending that S.B. No. 2827, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2827, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1138-12) recommending that S.B. No. 2935, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2935, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1139-12) recommending that S.B. No. 2871, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2871, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1140-12) recommending that S.B. No. 2933, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2933, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1141-12) recommending that S.B. No. 2158, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2158, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1142-12) recommending that S.B. No. 1187, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 1187, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Souki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I wish to speak against this measure. In opposition. First of all I don't believe the Attorney General should be elected, because once you're elected, then the decisions you make will be on the premise of how you're going to get reelected. I'm very content with what we have now in

the appointment system where election is not the consideration. Thank you"

Representative Thielen rose in opposition to the measure and asked that the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative C. Lee. rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker, please note my reservations. I think there's a question as to the electoral process. By moving to an elected Attorney General, we introduce politics into ultimately, what should be an objective office serving our State. For example, if there were tobacco companies who provided a ton of money in political contributions, would we as a state really believe that our elected Attorney General, under that circumstance, would pursue, for example, a case against them? So I just have reservations with this. Thank you, very much."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Yes, I would like the words of the speaker from Wailuku entered in the record as if they were my own, and just some brief comments, Mr. Speaker, about my opposition, besides the things that were raised. When I had the privilege of going to law school, there was a story that was told to us about how the Attorney General came about where the President of the United States was golfing with a Supreme Court Justice and basically asked him for some legal advice. And he just turned to him and he said, 'I'm not your attorney. Go get your own.'"

"I think that's an important story to tell, because what we're saying to the Governor and to the State is, you're not going to have your attorney to zealously represent you and your interests. Your attorney will be elected for you. I think that, that sets a dangerous precedence, because how can we expect the attorney for the Governor, for the State, to zealously represent the interest when they were not retained nor, given these parameters, that, that is not the focus of their office anymore. So that's the reason why I stand in opposition to this measure at this point. Thank you very much, Mr. Speaker."

Representative Fontaine rose in opposition to the measure and asked that the remarks of Representatives McKelvey and Souki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Keith-Agaran rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. The Attorney General is the chief legal advisor to both the Governor and to the Legislature, as well as the chief law enforcement officer. An Attorney General that I knew in the late 90s once told me, she described her role as being the people's lawyer. So this bill really just answers the question and allows the public to answer the question: Who's the boss?"

"An Attorney General independent of an elected Governor may be a more effective check if people are concerned about whether the advice and the positions that the State government has taken on actions of the Governor or that the Legislature has taken. It provides a little bit more independence, and I think that it's worthwhile to have at least a discussion about whether or not it makes sense to go ahead and allow the people the people to vote on this issue. 43 other states have elected Attorney Generals. 43 other states. And a lot of them also pursued claims against the tobacco companies, claims against big business and corporations, and have taken positions against large corporations and business interests. And while I understand the arguments on the other side, I think that it's worthwhile to have this considered. Thank you."

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Coffman rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. And can I have the words of the Judiciary Chair in the Journal as my own? I also want to add that I too believe that having an Attorney General that is working for the people, for the people of the State of Hawaii is really important because they could disagree with the Governor. A long time ago I was taught, sometimes when you work with a lawyer, you can say to them, 'I'm going to do this, and now your job is to defend me.' Or you talk to the lawyer and say, 'Am I going to violate the law if I do this?'"

"So how do you ask the question of your lawyer? My take on it, having worked in a state where the Attorney General was elected, it was really refreshing to see an Attorney General take a stand against a Governor's decision. It was also refreshing to see the Attorney General work with the Native American tribes in the State of Washington to work on issues. They're going to represent to many huge issues that impact the citizens of the state."

"I like knowing that, that person is independent from the Governor. I like knowing that they're held accountable by the citizens of the State, as we all are in elected office. If they feel that is we are not taking into consideration the best interest of the people, then they don't get reelected. So I'm really supportive of this measure and hope it moves forward. Thank you."

Representative C. Lee rose, stating:

"Thank you, Mr. Speaker. With your permission, I'd like to change my reservations to a no vote. And don't let anybody say that the debate here has never changed anyone's mind."

"I really do think that, quite frankly, it's the experience of other states that really should drive the conversation. Because we've got just as many examples of unwanted or egregious activity on the part of Attorneys General around the country that we can reference just the same. And quite frankly, we are a representative democracy. We are a democratic republic where we don't elect people to do directly the bidding of the people who elect us, but rather those who can put in the time and due diligence to do something that is in the best interest of the public in general, whether the public, sometimes, understands all those nuances and details of that job or not."

Representative Takumi rose to speak in opposition to the measure, stating:

"Thank you, very much Mr. Speaker. In opposition and just some brief comments. To respond to the point that 43 other states elect their Attorney General, that's well and good, and that's also true. On the other hand, that really raises the whole issue of politicizing that office to the degree that I would really caution colleagues in going to. Because if you take that logic, Mr. Speaker, 39 states elect their judges. I hope most of us think that's probably not the most prudent path to take with our judges as well. Simply because the majority of states do something, is not necessarily indicative that, that's something for this State to do as well. Thank you."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Brower rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I think it's enough that the people elect the Legislature."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Nishimoto rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose in support of the measure with reservations asked that the remarks of Representative McKelvey and Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Saiki rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1187, SD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII STATE CONSTITUTION, TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Fontaine, Hanohano, C. Lee, McKelvey, Saiki, Souki, Takumi and Thielen voting no, and with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1143-12) recommending that S.B. No. 2497, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2497, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1144-12) recommending that S.B. No. 2737, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2737, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1145-12) recommending that S.B. No. 2052, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2052, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1146-12) recommending that S.B. No. 2502, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2502, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2502, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1147-12) recommending that S.B. No. 2648, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2648, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just note my opposition and I'd like to reserve my comments for Third Reading."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representative McKelvey voting no, and with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

#### ANNOUNCEMENTS

Representative Hanohano, for the Committee on Hawaiian Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing, with decision making to follow, on the following measures on Wednesday, March 21, 2012 at 10:45 a.m. in Room 326, and the Chair "so ordered."

S.B. No. 3016, SD 2, HD 1, Relating to Public Safety.

Representative Cabanilla, for the Committee on Housing, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Wednesday, in Room 325, at 10:00 a.m., and the Chair "so ordered."

S.B. No. 2804, SD 2, Relating to the Hawaii Interagency Council on Homelessness.

Representative Takumi: "Thank you, very much, Mr. Speaker. Just an announcement that we had four bills yesterday, from yesterday's Committee on Education hearing.

S.B. No. 2115, SD 2;  
S.B. No. 2116, SD 2;  
S.B. No. 2530, SD 2; and  
S.B. No. 2528, SD 2 HD 1.

"We're going to have decision making on these measures tomorrow, Wednesday, March 21st at 2:00 p.m. in Conference Room 309."

Representative Fontaine: "Yes, Mr. Speaker. I just wanted to thank the Members for their support my fundraiser for the Maui Food Bank. We sold over 160 hotdogs today and it was a big success. So thank you, everyone."

Representative Awana: "Thank you, Mr. Speaker. Mr. Speaker a little over a year ago, Members of this Body took a moment of silence to mourn the loss of lives due to an earthquake and tsunami in Sendai, Japan. They continue to rebuild what has been lost and our thoughts and prayers continue to be with them.

"Earlier today, an earthquake between 7.4 and 7.9 took place in the Oaxaca region of Mexico. Reports stated that hundreds of homes and buildings are now in rubble. Although there are no reports of lives lost, I'm sure there is concern for many relatives and friends who have lost loved ones in this region.

"So, Mr. Speaker at the appropriate time I would like to ask for a moment of silence as we know that there is much pain and suffering, to many of the Oaxaca residents assessing the damages and looking for those who are missing. In addition, there are many here with much concern, including those in this Chamber and their friends and loved ones, thousands of miles away. Our thoughts and prayers are also with them. So at the appropriate time, Mr. Speaker. Thank you."

At this time, the Members of the House of Representatives stood for a moment of silence for the people of Oaxaca, Mexico, in observance of today's earthquake and the destruction it caused.

#### COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R. Nos.</u>	<u>Referred to:</u>
111	Committee on Labor & Public Employment, then to the Committee on Finance
112	Committee on Transportation
113	Committee on Health
114	Committee on Health, then to the Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
115	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance
116	Committee on Transportation, then to the Committee on Finance
117	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

118	Committee on Health, then to the Committee on Finance	143	Committee on Finance
119	Committee on Judiciary	144	Committee on Water, Land, & Ocean Resources
120	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	145	Committee on Education, then to the Committee on Judiciary
121	Committee on Human Services, then to the Committee on Finance	146	Committee on Higher Education, then to the Committee on Finance
122	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	147	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
123	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	148	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
124	Committee on Human Services, then to the Committee on Finance	149	Committee on Education, then to the Committee on Finance
125	Committee on Judiciary, then to the Committee on Finance	150	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
126	Committee on Water, Land, & Ocean Resources	151	Committee on Energy & Environmental Protection, then to the Committee on Finance
127	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	152	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management
128	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance	153	Committee on Public Safety & Military Affairs, then to the Committee on Finance
129	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance	154	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
130	Jointly to the Committee on International Affairs and the Committee on Tourism	155	Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance
131	Committee on Culture & the Arts, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	156	Jointly to the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection, then to the Committee on Legislative Management
132	Committee on International Affairs	157	Committee on Public Safety & Military Affairs, then to the Committee on Finance
133	Committee on International Affairs	158	Committee on Transportation, then to the Committee on Finance
134	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce	160	Committee on Hawaiian Affairs, then to the Committee on Judiciary
135	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance	161	Committee on Energy & Environmental Protection, then to the Committee on Finance
136	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	162	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
137	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management	163	Committee on Transportation, then to the Committee on Finance
138	Committee on Consumer Protection & Commerce	164	Committee on Energy & Environmental Protection, then to the Committee on Finance
139	Committee on Legislative Management, then to the Committee on Finance	165	Committee on International Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
140	Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism	166	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
141	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	167	Committee on Public Safety & Military Affairs, then to the Committee on Finance
142	Committee on Health, then to the Committee on Consumer Protection & Commerce		

168	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business	162	Committee on Water, Land, & Ocean Resources
169	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business	163	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
170	Committee on Public Safety & Military Affairs, then to the Committee on Finance	164	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
171	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance	165	Committee on Health, then to the Committee on Consumer Protection & Commerce
172	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business	166	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
173	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	167	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
174	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	168	Committee on Water, Land, & Ocean Resources, then to the Committee on Health, then to the Committee on Finance
175	Committee on Housing, then to the Committee on Finance	169	Committee on Water, Land, & Ocean Resources
176	Committee on Health, then to the Committee on Finance	170	Jointly to the Committee on International Affairs and the Committee on Tourism
177	Committee on Education, then to the Committee on Finance	171	Committee on Culture & the Arts, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
178	Committee on Transportation, then to the Committee on Finance	172	Committee on International Affairs
		173	Committee on International Affairs
<u>H.C.R.</u>		174	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce
<u>Nos.</u>	<u>Referred to:</u>	175	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance
149	Committee on Labor & Public Employment, then to the Committee on Finance	176	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
150	Committee on Health	177	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
151	Committee on Health, then to the Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce	178	Committee on Legislative Management, then to the Committee on Finance
152	Committee on Labor & Public Employment, then to the Committee on Finance	179	Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism
153	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance	180	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
154	Committee on Health, then to the Committee on Finance	181	Committee on Health, then to the Committee on Consumer Protection & Commerce
155	Committee on Judiciary	182	Committee on Housing, then to the Committee on Finance
156	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	183	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
157	Committee on Human Services, then to the Committee on Finance	184	Committee on Health, then to the Committee on Finance
158	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	185	Committee on Finance
159	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	186	Committee on Water, Land, & Ocean Resources
160	Committee on Human Services, then to the Committee on Finance		
161	Committee on Judiciary, then to the Committee on Finance		

187	Committee on Judiciary	211	Jointly to the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Finance
188	Committee on Education, then to the Committee on Judiciary		
189	Committee on Higher Education, then to the Committee on Finance	212	Committee on Transportation, then to the Committee on Finance
190	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	213	Committee on Energy & Environmental Protection, then to the Committee on Finance
191	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection	214	Committee on International Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
192	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	215	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
193	Committee on Education, then to the Committee on Finance	216	Committee on Public Safety & Military Affairs, then to the Committee on Finance
194	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism, then to the Committee on Finance	217	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business
195	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	218	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business
196	Committee on Energy & Environmental Protection, then to the Committee on Finance	219	Committee on Public Safety & Military Affairs, then to the Committee on Finance
197	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management	220	Committee on Public Safety & Military Affairs, then to the Committee on Finance
198	Committee on Public Safety & Military Affairs, then to the Committee on Finance	221	Committee on Culture & the Arts, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
199	Committee on Health, then to the Committee on Finance	222	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance
200	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	223	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business
201	Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance	224	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
202	Jointly to the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection, then to the Committee on Legislative Management	225	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
203	Committee on Public Safety & Military Affairs, then to the Committee on Finance	226	Committee on Housing, then to the Committee on Finance
204	Committee on Transportation, then to the Committee on Finance	227	Committee on Health, then to the Committee on Finance
205	Committee on Hawaiian Affairs, then to the Committee on Judiciary	228	Committee on Education, then to the Committee on Finance
206	Committee on Energy & Environmental Protection, then to the Committee on Finance	229	Committee on Transportation, then to the Committee on Finance
207	Committee on Agriculture, then to the Committee on Finance	<u>S.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
208	Committee on Agriculture, then to the Committee on Finance	28, SD1	Committee on International Affairs, then to the Committee on Finance
209	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance	29, SD1	Committee on International Affairs, then to the Committee on Finance
210	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance		

**COMMITTEE REASSIGNMENTS**

The following measures were re-referred to committee by the Speaker:

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1312	Committee on Finance
2489, SD2, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2947, SD2, HD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
3053, SD2, HD1	Committee on Hawaiian Affairs, then to the Committee on Finance

**ADJOURNMENT**

At 1:19 o'clock p.m. on motion by Representative Evans, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 21, 2012. (Representatives Chang, Herkes, Nakashima, Pine and Tokioka were excused.)

**HOUSE COMMUNICATIONS**

House Communication dated March 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following House Bill:

H.B. No. 2030, HD 2, SD 1